

## CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: MS/Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:

Date: October 4, 2006

Name: Joseph A. Yosick

Signature: *Joseph A. Yosick*

*IFW*

BRINKS  
HOFER  
GILSON  
& LIONE

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Jeffrey L. SPECHT	Examiner:	
Serial No.:	10/659,754	Unknown	
Filed:	09/10/2003	Art Unit:	2643
For:	COMMUNICATIONS DEVICE WITH SOUND MASKING SYSTEM		
Attorney Docket No:	11254-18		

## TRANSMITTAL

Mail Stop: Amendment  
Commissioner for Patents  
Alexandria, VA 22313-1450

Sir:

## Attached are:

- ☒ Transmittal Letter (in dup); Information Disclosure Statement; PTO Form 1449 (4 p); copies of cited references A133-A138; and
- ☒ Return Receipt Postcard

## Fee calculation:

- ☐ An extension fee in the amount of \$\_\_\_ for a \_\_\_-month extension of time under 37 C.F.R. § 1.136(a).
- ☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			1 x \$25=			x \$50=	
Indep.		Minus			2 x 100=			x \$200=	.
First Presentation of Multiple Dep. Claim						+\$180=		+ \$360=	
					Total			Total	\$

## Fee payment:

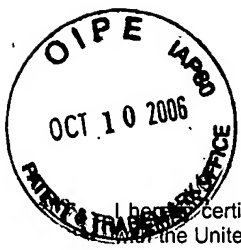
- ☐ A check in the amount of \$0 is enclosed.
- ☐ Please charge Deposit Account No. 23-1925 in the amount of \$ . A copy of this Transmittal is enclosed for this purpose.
- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

Date

*10/4/06*

*Joseph A. Yosick*  
Joseph A. Yosick (Reg. No. 51,062)  
Attorney for Applicant



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October 4, 2006

Date of Deposit

Joseph A. Yosick, Reg. No. 51,062

Name of Applicant, Assignee or  
Registered Representative

*Joseph A. Yosick*

Signature

10/4/06

Date of Signature

Atty. Docket No. 11254-18

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Jeffrey L. SPECHT

Serial No. 10/659,754

Filing Date: 09/10/2003

For: COMMUNICATIONS DEVICE WITH  
SOUND MASKING SYSTEM

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Examiner: Unknown

Art Unit: 2643

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
Alexandria, VA 22313-1450

Dear Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56 and §§1.97-1.98, it is respectfully requested that this Information Disclosure Statement be entered and the documents listed on the attached Form PTO-1449 be considered by the Examiner and made of record.

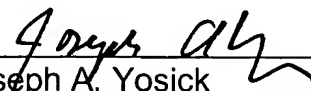
Applicant is enclosing Form PTO-1449, along with a copy of each listed reference for which a copy is required under 37 C.F.R. §1.98(a)(2). As each of the listed references is in English, no further commentary is believed to be necessary, 37 C.F.R §1.98(a)(3).

In accordance with 37 C.F.R. § 1.97(g),(h), this Information Disclosure Statement is not to be construed as a representation that a search has been made and is not to be construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

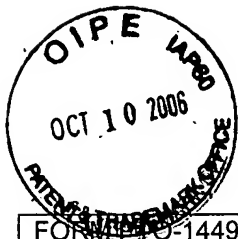
This Information Disclosure Statement is being filed prior to the receipt of the first Official Action reflecting an examination on the merits and hence is believed to be timely filed in accordance with 37 C.F.R. § 1.97(b). Applicant has calculated no fee to be due in connection with the filing of this Statement, however, the Director is authorized to charge any fee deficiency associated with the filing of this Statement to a deposit account, as authorized in the Transmittal accompanying this Statement.

Applicant respectfully requests that the listed documents be made of record in the present case.

Respectfully submitted,

  
\_\_\_\_\_  
Joseph A. Yosick  
Registration No. 51,062  
Attorney for Applicant

BRINKS HOFER GILSON & LIONE  
P.O. Box 10395  
Chicago, IL 60610  
(312) 321-4200



FORM PTO-1449	SERIAL NO. 10/659,754	CASE NO. 11254-18
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	FILING DATE 09/10/2003	GROUP ART UNIT 2643
(use several sheets if necessary)		APPLICANT: Jeffrey L. Specht

## REFERENCE DESIGNATION

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
	A1	2,043,416	03/08/1934	Leug		
	A2	3,602,331	04/10/1970	Bschorr		
	A3	3,647,968	03/07/1972	Arguimbau et al.		
	A4	3,713,474	01/30/1973	Orlando		
	A5	3,877,412	04/15/1975	Allen et al.		
	A6	3,879,578	04/22/1975	Wildi		
	A7	3,912,865	10/14/1975	Seebinger		
	A8	3,980,827	09/14/1976	Sepmeyer et al.		
	A9	3,985,200	10/12/1976	Sepmeyer		
	A10	3,985,957	10/12/1976	Torn		
	A11	4,010,324	03/01/1977	Jarvis et al.		
	A12	4,024,535	05/17/1977	Goldstein		
	A13	4,052,564	10/04/1977	Propst et al.		
	A14	4,052,720	10/04/1977	McGregor et al.		
	A15	4,054,751	10/18/1977	Calder et al.		
	A16	4,057,689	11/08/1977	Stallings, Jr.		
	A17	4,059,726	11/22/1977	Watters et al.		
	A18	4,082,918	04/04/1978	Chang et al.		
	A19	4,098,370	07/04/1978	McGregor et al.		
	A20	4,185,167	01/22/1980	Cunningham et al.		
	A21	4,280,019	07/21/1981	Propst et al.		
	A22	4,319,088	03/09/1982	Orfield		
	A23	4,330,691	05/18/1982	Gordon		
	A24	4,355,678	10/26/1982	Romano		
	A25	4,438,526	03/20/1984	Thomalla		
	A26	4,450,321	05/22/1984	Quigley et al.		
	A27	4,473,906	09/25/1984	Warnaka et al.		
	A28	4,476,572	10/09/1984	Horrall et al.		
	A29	4,586,153	04/29/1986	Hobrough		
	A30	4,630,416	12/23/1986	Lapins et al.		
	A31	4,674,124	06/16/1987	Horrall et al.		
	A32	4,677,676	06/30/1987	Eriksson		
	A33	4,677,677	06/30/1987	Eriksson		
	A34	4,686,693	08/11/1987	Ritter		
	A35	4,715,154	12/29/1987	Baloga		
	A36	4,761,921	08/09/1988	Nelson		

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM PTO-1449	SERIAL NO. 10/659,754	CASE NO. 11254-18
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	FILING DATE 09/10/2003	GROUP ART UNIT 2643
(use several sheets if necessary)		APPLICANT: Jeffrey L. Specht

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## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
	A37	4,771,472	09/13/1988	Williams, III et al.		
	A38	4,802,219	01/31/1989	Tjerlund		
	A39	4,829,729	05/16/1989	Derner et al.		
	A40	4,837,834	06/06/1989	Allie		
	A41	4,887,299	12/12/1989	Cummins et al.		
	A42	4,914,706	04/03/1990	Krause		
	A43	4,923,032	05/08/1990	Nuernberger		
	A44	4,949,378	08/14/1990	Mammone		
	A45	4,965,832	10/23/1990	Edwards et al.		
	A46	4,989,688	02/05/1991	Nelson		
	A47	5,010,739	04/30/1991	Issiki et al.		
	A48	5,018,203	05/21/1991	Sawyers et al.		
	A49	5,024,288	06/18/1991	Shepherd et al.		
	A50	5,029,218	07/02/1991	Nagayasu		
	A51	5,036,542	07/30/1991	Kehoe et al.		
	A52	5,073,945	12/17/1991	Kageyama et al.		
	A53	5,131,047	07/14/1992	Hashimoto et al.		
	A54	5,170,433	12/08/1992	Elliott et al.		
	A55	5,179,747	01/19/1993	Zink		
	A56	5,182,774	01/26/1993	Bourk		
	A57	5,197,098	03/23/1993	Drapeau		
	A58	5,208,866	05/04/1993	Kato et al.		
	A59	5,239,792	08/31/1993	Avni		
	A60	5,243,661	09/07/1993	Ohkubo et al.		
	A61	5,274,970	01/04/1994	Roberts		
	A62	5,293,578	03/08/1994	Nagami et al.		
	A63	5,295,192	03/15/1994	Hamada et al.		
	A64	5,315,661	05/24/1994	Gossman et al.		
	A65	5,360,469	11/01/1994	Baron et al.		
	A66	5,371,802	12/06/1994	McDonald et al.		
	A67	5,386,689	02/07/1995	Bozich et al.		
	A68	5,388,160	02/07/1995	Hashimoto et al.		
	A69	5,406,149	04/11/1995	An et al.		
	A70	5,452,274	09/19/1995	Thompson		
	A71	5,455,779	10/03/1995	Sato et al.		
	A72	5,473,699	12/05/1995	Tamamura et al.		
	A73	5,495,527	02/27/1996	Rollhaus, Jr. et al.		
	A74	5,519,637	05/21/1996	Mathur		
	A75	5,521,983	05/28/1996	Thompson, III et al.		

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	A76	5,530,435	06/25/1996	Toms et al.		
	A77	5,559,891	09/24/1996	Kuusama et al.		
	A78	5,576,685	11/19/1996	Saito		
	A79	5,625,745	04/29/1997	Dorward et al.		
	A80	5,627,897	05/06/1997	Gagliardini et al.		
	A81	5,642,445	06/24/1997	Bucaro et al.		
	A82	5,689,572	11/18/1997	Ohki et al.		
	A83	5,724,432	03/03/1998	Bouvet et al.		
	A84	5,748,725	05/05/1998	Kubo		
	A85	5,751,822	05/12/1998	Yamaguchi et al.		
	A86	5,754,973	05/19/1998	Akune		
	A87	5,781,640	07/14/1998	Nicolino, Jr.		
	A88	5,782,551	07/21/1998	Capaul		
	A89	5,784,670	07/21/1998	Sasahara et al.		
	A90	5,793,863	08/11/1998	Hashimoto		
	A91	5,867,748	02/02/1999	Takahashi et al.		
	A92	5,896,450	04/20/1999	Kurihara		
	A93	5,912,821	06/15/1999	Kobayashi		
	A94	5,919,029	07/06/1999	Van Nostrand et al.		
	A95	5,930,557	07/27/1999	Sasahara et al.		
	A96	5,937,074	08/10/1999	Carver		
	A97	5,942,736	08/24/1999	Cortonesi		
	A98	5,984,044	11/16/1999	Christensen		
	A99	6,003,273	12/21/1999	Elsholz et al.		
	A100	6,031,919	02/29/2000	Funahashi et al.		
	A101	6,047,508	04/11/2000	Goodman et al.		
	A102	6,133,845	10/17/2000	Toms et al.		
	A103	6,164,408	12/26/2000	Lamm et al.		
	A104	6,185,298 B1	02/06/2001	Hashimoto		
	A105	6,188,771 B1	02/13/2001	Horrall		
	A106	6,259,792 B1	07/10/2001	Lambrecht		
	A107	6,329,908 B1	12/11/2001	Frecska		
	A108	6,418,231 B1	07/09/2002	Carver		
	A109	6,625,292 B2	09/23/2003	Proni		
	A110	6,690,800 B2	02/10/2004	Resnick		
	A111	6,708,023 B1	03/16/2004	Pincenti et al.		
	A112	6,711,274 B2	03/23/2004	Asahina et al.		
	A113	6,744,902 B2	06/01/2004	Proni		
	A114	6,766,027 B2	07/20/2004	Ryan et al.		

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	A115	6,823,176 B2	11/23/2004	Rogers		
	A116	Re 35,574	07/29/1997	Russell et al.		
	A117	US 2001/0021259 A1	02/09/2001	Horrall		
	A118	US 2001/0024509 A1	09/27/2001	Carver		
	A119	US 2002/0150261 A1	10/17/2002	Moeller et al.		
	A120	US 2003/0002692 A1	01/02/2003	McKittrick et al.		
	A121	US 2003/0091199 A1	05/15/2003	Horrall et al.		
	A122	US 2003/0198339 A1	10/23/2003	Roy et al.		
	A123	US 2003/0219133 A1	11/27/2003	Horrall et al.		
	A124	US 2004/0013281 A1	01/22/2004	Garstick		
	A125	US 2004/0019479 A1	01/29/2004	Hillis et al.		
	A126	US 2004/0022398 A1	02/05/2004	Yeh et al.		
	A127	US 2004/0125922 A1	07/01/2004	Specht		
	A128	US 2004/0131199 A1	08/08/2004	Moeller et al.		
	A129	US 2004/0179699 A1	09/16/2004	Moeller et al.		
	A130	US 2004/0192243 A1	09/30/2004	Siegel		
	A131	US 2005/0031141 A1	02/10/2005	McCrackin et al.		
	A132	US 2005/0031148 A1	02/10/2005	McNary		

**FOREIGN PATENT DOCUMENTS**

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATION YES OR NO
	A133	GB 2 137 791 A	19 Nov 1982	Great Britain		n/a
	A134	3-12698	21 Jan 1991	Japan		Abstract translation

EXAMINER INITIAL	OTHER ART – NON PATENT LITERATURE DOCUMENTS <small>(Include name of author, title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published.</small>					
	A135	Maisel, "Antinoise makes our world a quieter place," Personal Engineering & Instrumentation News, Expert Column/Digital Signal Processing, pp. 51-53, August 1992				
	A136	Richards, "High-tech sound wall on horizon," Mercury News, June 14, 1993				
	A137	Sanders, "Creating That Promised "Quiet Ride", The IEEE Grid, pp. 5-6				
	A138	Elliott and Nelson, "Active Noise Control," IEEE Signal Processing Magazine, pp. 12-35, October 1993				

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